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EXAMINER

NGUYEN, DAVID Q

ART UNIT	PAPER NUMBER
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2681

21

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/462,295

Applicant(s)

NAKAJIMA ET AL.

Examiner

David Q Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed October 13, 2003 have been fully considered but they are not persuasive.

In response to Applicants' Remarks on page 10, applicants argue: "the current Office Action states that "Applicants' arguments with respect to claims 1-30 have been considered but are moot in view of the new grounds of rejection". Applicants respectfully submit that Claims 22-25 remain rejected under the same grounds in the current Office Action as they were in the prior Office Action. Therefore, Applicants arguments with respect to this rejection are not rendered moot in light of any new grounds rejection, and Applicants arguments with respect to this rejection are reasserted by reference in this response".

Examiner agrees that Claims 22-25 remain rejected under the same grounds in the current Office Action as they were in the prior Office Action. Examiner has mistakenly indicated that the claims 22-25 were rejected under the same ground rejection. In any event, Examiner still believes that the same new ground of rejection discloses all limitations of claims 22-25.

Applicants also argue on page 11 of Remarks: "In Perkins et al., the IP address of the MH 10 does not include the location address recited in the claims. Specifically, the IP address of Perkins is not an address which identifies an access link termination node for which a user has carried out location registration."

Examiner disagrees because in Perkins et al., the IP address includes the location address identifying an access link termination node for which a user has carried out location registration (please refer back to the reference).

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Applicants also argue on pages 10-11 of Remarks: “Applicants admitted prior art does not include such an IP address of independent claim 1.”

Examiner disagrees because examiners did not use the Applicants admitted prior art to reject claim 1 (please reread the Office Action).

Applicants also argue on pages 10-11 of Remarks: “ Claim 30 recites a “means for generating an IP address of the user including the location address of the access link termination node and a user identifier which identifies the user.” Neither Voit, Perkins, nor Applicants’ admitted prior art discloses this feature.”

Examiner disagrees because the combination of Voit with Perkins discloses means for generating an IP address of the user including the location address of the access link termination node and a user identifier identifying the user, as explained in the Office Action.

Applicants also argue on page 12 of Remarks: “if Perkins and Voit are combined, only a domain name of a MH 10 and an IP address of the MH 10 are connected. Here, it is clear that IP address of the MH 10 does not include information regarding a location address of BAS 12 in whose area the MH 10 resides.”

Examiner disagrees because Examiner believes that the combination discloses the IP address includes the location address identifying an access link termination node for which a user has carried out location registration, as claimed in the claim 30 (see explanation above).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 22-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Perkins et al. (US Patent 5,442,633).

Regarding claims 22-25, Perkins disclose a packet data transmission medium in a mobile communications network system for routing a packet using an IP address between a user in a mobile communications network system and a user inside or outside the mobile communications network system (see abstract and fig. 2), said packet data transmission medium storing a location address and a user identifier of the user in the mobile communications network system into the IP address within a packet transmitted and/or received by the user in the mobile communications network system (see fig. 3 and col. 7, lines 29-46), the location address has a hierarchical structure; and the hierarchical structure comprising at least a network identifier indicating a subdivided network of the mobile communication network, and a node identifier provided in connection with a termination node of an access link in the network (see explanation in claims 2-3); wherein the packet data transmission medium consists of a packet data signal (see abstract; col. 5, lines 7-67, col. 6, lines 1-46; col. 11, lines 41-68).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9,11-20, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al (US Patent Number 6215790) in view of Perkins et al. (US Patent 5,442,633).

Regarding claims 1-3,11-13, Voit et al disclose a packet transmission method and system in a mobile communications network system for routing a packet using an IP address between a user inside or outside the mobile communications network system (see fig. 1 and abstract), said packet transmission method and system comprising the steps of:

Means for generating an IP address of the user in the mobile communications network system (see col. 18, lines 8-18). Voit et al are silent to mention the IP address including the location address which identifies an access link termination node for which the user has carried out location registration and a user identifier identifies the user; means for storing the generated IP address into a packet transmitted and/or received by the user in the mobile communication network system; and mean for routing the packet in according with the location address and the user identifier in the IP address, wherein the location address has a hierarchical structure; and the hierarchical structure comprising at least a network identifier indicating a subdivided network of the mobile communication network, and a node identifier provided in connection with a termination node of an access link in the network.

However, Perkins et al disclose the IP address including the location address which identifies an access link termination node for which the user has carried out location registration and a user identifier identifies the user (see col. 5, lines 7-17); means for storing the generated IP address into a packet transmitted and/or received by the user in the mobile communication network system (see fig. 3b; col. 7, lines 29-46); and mean for routing the packet in according with the location address and the user identifier in the IP address (see col. 6, lines 39-46), wherein the location address has a hierarchical structure; and the hierarchical structure comprising at least a network identifier indicating a subdivided network of the mobile communication network, and a node identifier provided in connection with a termination node of an access link in the network (see col. 4, lines 36-67, col. 5, lines 1-67; col. 6, lines 1-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

Regarding claims 4-5 and 14-15, Voit et al disclose the packet transmission method and system modified by Perkins comprising all of the limitations as claimed. Perkins also disclose steps of means for routing the packet to the network in according with the network identifier; means for routing the packet to the termination node in according with the node identifier; and means for transmitting the packet from the termination node by selecting an access link of a related mobile communications network in according with the user identifier (see col. 11, lines 40-68, col. 12, lines 1-17); and means for routing the packet to the termination node, referring to the location address in its entirety, and means for transmitting the packet from the termination

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node by selecting an access link of a related mobile communications network in according with the user identifier (see col. 6, lines 26-46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

Regarding claims 6 and 16, Voit et al disclose the packet transmission method modified by Perkins comprising all of the limitations as claimed. Perkins et al also disclose at least the location address constituting the IP address is transmitted to the user in the mobile communications network system or to the user inside or outside the mobile communications network system, when an access link is established between the user in the mobile communications network system and the mobile communications network system (see abstract; col. 5, lines 7-67, col. 6, lines 1-46; col. 11, lines 41-68). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

Regarding claims 7 and 17, Voit et al disclose the packet transmission method and system modified by Perkins comprising all of the limitations as claimed. Voit et al also disclose storing an IP address in connection with a domain name in a database in a domain-name server (see col. 18, lines 1-19); means for having the domain-name server send the IP address back to the user in the mobile communications network system or to the user inside outside mobile

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communications network system in response to an inquiry from the user about the IP address using the domain name; and means for having the user that sends the inquiry carry out a packet communication using the IP address sent back (see col. 16, lines 37-67; col. 18, lines 34-67; and fig. 1).

Regarding claims 8-9 and 18-19, Perkins disclose the packet transmission method and system modified by Voit comprising all of the limitations as claimed. Voit also disclose when the inquiry is sent to the domain-name server, if the access link is not established then an access link is established (see col. 16, lines 37-67; col. 17, lines 1-67; and col. 18, lines 19-29; fig. 3); the domain-name server generates the IP address by acquiring from the mobile communications network system a location address of the user in the mobile communications network system (see col. 18, lines 1-29).

Regarding claim 20, Voit et al disclose the packet transmission system modified by Perkins comprising all of the limitations as claimed. Voit et al also disclose that the system comprises a domain-name server including a database for storing an access link termination node in a subdivided network in the mobile communications network in connection with an IP address and a domain name (see fig. 9; col. 18, lines 1-29); the domain server including means for storing the IP address including the location address of the user (see col. 18, lines 8-18); means for receiving the user location registration information from the access link termination node, and means for updating the IP address using the user location registration information received (see col. 18, lines 1-29). Voit et al are silent to mention said access link termination nodes including access link management for establishing or releasing an access link; means for storing the location address; means for storing user location registration information in a memory in

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response to a location registration request from a user, and for providing the user with the location address of the user; and means for transmitting the user location registration information to the domain-name server in response to the location registration request from the user.

However, Perkins et al disclose said access link termination nodes including access link management for establishing or releasing an access link; means for storing the location address; means for storing user location registration information in a memory in response to a location registration request from a user, and for providing the user with the location address of the user; and means for transmitting the user location registration information to the domain-name server in response to the location registration request from the user (see col. 6, lines 17-46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

Regarding claims 26 and 28, Voit et al discloses a processing method in a mobile communications network system for routing a packet using an IP address between a user in a mobile communications network system and a user inside or outside the mobile communications network system, the processing method and the system comprising the steps of: a domain-name server (see fig. 9); means for generating an IP address of the user in the mobile communication network system when an access link is established between the user and the mobile communication network system (see col. 18, lines 8-18); and means for notifying a domain-name server of the generated IP (see col. 18, lines 8-18). Voit et al are silent to mention the IP address including a location address which identifies an access link termination node for which the user

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has carried out location registration and a user identifier which identifies the user, wherein the domain-name server includes a database storing the notified IP address in connection with a domain name of the user in the mobile communications network system, in a database in the domain-name server. However, Perkin et al disclose the IP address including a location address which identifies an access link termination node for which the user has carried out location registration and a user identifier which identifies the user (see col. 5, lines 7-18); and wherein the domain-name server includes a database storing the notified IP address in connection with a domain name of the user in the mobile communications network system, in a database in the domain-name server (see col. 6, lines 26-38; see fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

Regarding claims 27 and 29, Voit discloses a processing method in a mobile communications network system and a mobile communication network system for routing a packet using an IP address between a user in a mobile communications network system and a user inside or outside the mobile communications network system (see explanation in claim 1), the processing method comprising the steps of: means for generating, at a domain-name server, an IP address of the user in the mobile communications network system (see col. 18, lines 8-18); a database for updating the address stored in association with that subscriber's domain name (see col. 8-18). It is apparent that Voit discloses a database storing the generated IP address in connection with a domain name of the user in the mobile communications network system, in a

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database in the domain-name server. Voit et al are silent to mention the IP address including a location address which identifies an access link termination node for which the user has carried out location registration and a user identifier which identifies the user including a location address and a user identifier of the user in the mobile communications network system by acquiring the location address of the user in the mobile communications network system from an apparatus managing the location address of the user in the mobile communications network system. However, Perkin et al disclose the IP address including a location address which identifies an access link termination node for which the user has carried out location registration and a user identifier which identifies the user (see col. 5, lines 7-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

Regarding claim 30, Voit et al discloses a mobile communications network system for routing a packet using an IP address between a user in a mobile communications network system and a user inside or outside the mobile communications network system, the mobile communications network system comprising an access link termination node and a domain-name server (see fig. 9); the domain server comprising means for generating an IP address of the user (see col. 18, lines 8-18); a database storing the generated IP address in connection with a domain name of the user (see col. 18, lines 8-18); means for receiving the user location registration information from the access link termination node, and means for updating the IP address using the user location registration information received (see col. 18, lines 1-29). Voit et al are silent to

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mention the IP address of the user including the location address of the access link termination node and a user identifier which identifies the user; the access link termination node comprising access link management means for establishing or releasing an access link; means for storing own location address; means for storing the location user location registration information in a memory in response to a location registration request from a user, and for providing the user with the location address of the user; means for transmitting the location registration information to the domain-name server in response to the location registration request from the user. However, Perkins et al disclose the IP address of the user including the location address of the access link termination node and a user identifier which identifies the user (see col. 5, lines 7-18); the access link termination node comprising access link management means for establishing or releasing an access link; means for storing own location address; means for storing the location user location registration information in a memory in response to a location registration request from a user, and for providing the user with the location address of the user; means for transmitting the location registration information to the domain-name server in response to the location registration request from the user (see col. 6, lines 17-46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of Perkin to Voit in order to keep track location where user establishes connection with one called party who may or may not be located at any one of a number of specified destinations or who may be mobile.

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4. Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins (US Patent Number 5442633) in view of Voit et al. (US Patent Number 6215790) and further in view of over the admitted prior art

Regarding claims 10 and 21, Voit et al disclose the packet transmission method and system modified by Perkins comprising all of the limitations as claimed. They are silent to disclose the packet including the IP address is routed in according with the IP address with or without encapsulating the packet. However, the admitted prior art discloses the packet including the IP address is routed in according with the IP address with or without encapsulating the packet (see page 1, 10-17; page 2, lines 1-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of the admitted prior art to Perkins and Voit et al in order to increase an amount of the information to be transmitted.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 703-605-4254. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 703-305-4040. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


David Nguyen


SINH TRAN
PRIMARY EXAMINER